

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

KRISELDA J. WASHINGTON,	)	
	)	
v.	)	3:10-00044
	)	
MICHAEL J. ASTRUE, Commissioner of Social	)	
Security.	)	

**ORDER**

Before the Court is the Report and Recommendation of Magistrate Judge Knowles in which he recommends denial of Plaintiff's Motion for Judgment on the Administrative Record, Document #14, and affirmance of the decision of the Commissioner. Plaintiff has timely filed objections to the Report and Recommendation and the Commissioner has responded.

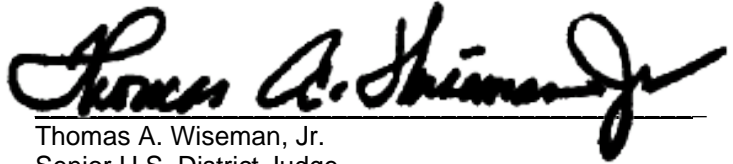
The objections of Plaintiff are the same as those filed to the findings of the Administrative Law Judge and addressed by the Magistrate Judge in his Report and Recommendation. Plaintiff objects to the failure of the Administrative Law Judge to give controlling weight to the opinion of Dr. Gardner Dixon, Plaintiff's treating physician. The Administrative Law Judge declined to give controlling weight to Dr. Dixon's opinion because it was inconsistent with other evidence in the record. This decision is supported by substantial evidence. The opinions and physical findings of Drs. Huang and Robinson contradict those of Dr. Dixon, as well as other evidence in the record.

Plaintiff objects also to the finding of the Administrative Law Judge that Plaintiff has only moderate mental impairments. This finding has substantial evidentiary support in the opinions of Drs. Lynch, Huang, Doran, Jessee and Livingston. This objection is, therefore, also without merit.

Finally, Plaintiff objects to the finding by the Administrative Law Judge that Plaintiff lacked credibility, specifically with respect to the severity of her pain. This finding is fully explained by the Administrative Law Judge with reference to the other evidence in the record as well as his personal observation of Plaintiff.

The Report and Recommendation is adopted as the findings of this Court. Plaintiff's Motion for Judgment on the Administrative Record, Document #14, is **DENIED**, and the Commissioner's decision **AFFIRMED**. This case is **DISMISSED**.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.  
Senior U.S. District Judge